

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2575

Introduced by Assembly Member Furutani

February 24, 2012

An act to ~~amend~~ *repeal* Section ~~326~~ 7303.2 of the Business and Professions Code, relating to ~~consumer complaints~~ *barbering and cosmetology*.

LEGISLATIVE COUNSEL'S DIGEST

AB 2575, as amended, Furutani. ~~Consumer complaints. Barbering and Cosmetology Act: reporting requirements.~~

Existing law, the Barbering and Cosmetology Act, establishes the State Board of Barbering and Cosmetology in the Department of Consumer Affairs. Existing law requires that, not later than September 1, 2005, the board conduct various studies, some in conjunction with the Office of Examination Resources and some in coordination with the Department of Industrial Relations, and to report the results to the department and to the Joint Committee on Boards, Commissions, and Consumer Protection in the Legislature.

This bill would repeal the provisions regarding these reporting requirements.

~~Existing law creates the Department of Consumer Affairs to protect the interests of consumers regarding the purchase of goods or services. The director of the department, upon receipt of a customer complaint indicating probable violations, as specified, is required to forward it to the appropriate regulatory or law enforcement agency.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 7303.2 of the Business and Professions~~
2 ~~Code is repealed.~~
3 ~~7303.2. The board shall conduct the following studies and~~
4 ~~reviews, and shall report its findings and recommendations to the~~
5 ~~department and the Joint Committee on Boards, Commissions,~~
6 ~~and Consumer Protection no later than September 1, 2005:~~
7 ~~(a) The board, pursuant to Section 139 and in conjunction with~~
8 ~~the Office of Professional Examination Services of the department,~~
9 ~~shall review the 1600 hour training requirement for cosmetologists.~~
10 ~~(b) The board, in conjunction with the Office of Professional~~
11 ~~Examination Services of the department, shall evaluate the~~
12 ~~equivalency of the national exam.~~
13 ~~(c) The board shall conduct a study to assess the costs and~~
14 ~~benefits associated with requiring all applicants to submit~~
15 ~~fingerprint cards for background investigations.~~
16 ~~(d) The board, in coordination with the Department of Industrial~~
17 ~~Relations, shall review all components of the apprenticeship~~
18 ~~program, including, but not limited to, the following:~~
19 ~~(1) Apprenticeship curriculum requirements.~~
20 ~~(2) The standards for the preapprentice trainers, program~~
21 ~~sponsors, trainers, and placement establishments. The board shall~~
22 ~~pay particular attention to ways to eliminate duplicative regulations.~~
23 ~~(e) The board shall review all components of the externship~~
24 ~~program. In addition to structural changes, the board shall address~~
25 ~~the following:~~
26 ~~(1) Whether the program should be eliminated.~~
27 ~~(2) Whether the program should be available to all students, not~~
28 ~~just cosmetology students attending private schools.~~
29 ~~(3) Whether the students should be paid.~~
30 ~~(f) The board shall assess the costs and benefits associated with~~
31 ~~same day licensing. If the board determines that the benefits of~~
32 ~~same day licensing outweigh the costs, the board shall immediately~~
33 ~~plan and implement safety measures to protect site staff and~~
34 ~~undispersed licenses.~~

1 ~~(g) The board, in conjunction with the Office of Professional~~
2 ~~Examination Services of the department, shall assess the validity~~
3 ~~of aggregate scoring for board applicants.~~

4 SECTION 1. ~~Section 326 of the Business and Professions Code~~
5 ~~is amended to read:~~

6 ~~326. (a) Upon receipt of any complaint pursuant to Section~~
7 ~~325, the director may notify the person against whom the complaint~~
8 ~~is made of the nature of the complaint and may request appropriate~~
9 ~~relief for the consumer.~~

10 ~~(b) The director shall also transmit any valid complaint to the~~
11 ~~local, state or federal agency whose authority provides the most~~
12 ~~effective means to secure the relief.~~

13 ~~The director shall, if appropriate, advise the consumer of the~~
14 ~~action taken on the complaint and of any other means which may~~
15 ~~be available to the consumer to secure relief.~~

16 ~~(c) If the director receives a complaint or receives information~~
17 ~~from any source indicating a probable violation of any law, rule,~~
18 ~~or order of any regulatory agency of the state, or if a pattern of~~
19 ~~complaints from consumers develops, the director shall transmit~~
20 ~~a complaint he or she considers to be valid to an appropriate law~~
21 ~~enforcement or regulatory agency and any evidence or information~~
22 ~~he or she may have concerning the probable violation or pattern~~
23 ~~of complaints or request the Attorney General to undertake~~
24 ~~appropriate legal action. It shall be the continuing duty of the~~
25 ~~director to discern patterns of complaints and to ascertain the nature~~
26 ~~and extent of action taken with respect to the probable violations~~
27 ~~or pattern of complaints.~~